

REMARKS

The examiner is thanked for the very thorough and professional office action. Pursuant to that office action, Claims 2, 3, 6 and 8 have been cancelled and Claims 1, 10 and 14 have been rewritten to more definitely set forth the invention and obviate the rejections. Claim 1 has been rewritten to incorporate the subject matter of Claims 2, 3, 6, and 8. Support for the amendment of claim 1 may also be found in the Specification on page 24, paragraph 2. Further, Claims 10 and 14 have been rewritten to clarify the dependency of these claims. The present amendment is deemed not to introduce new matter. Claims 1 and 4, 5, 7, and 9-15 remain in the application, Claim 15 having been withdrawn as being directed to a non-elected invention.

Reconsideration of the objection to Claim 3 is respectfully requested. As indicated above, although Claim 3 has been cancelled, the subject matter of Claim 3 has been incorporated into Claim 1, but the objectionable subject matter has been deleted. It is therefore believed that this rejection does not apply to amended Claim 1. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claim 3 under 35 U.S.C. 112, second paragraph, as being indefinite. Although Claim 3 has been cancelled, the subject matter of claim 3 has been incorporated into Claim 1. However, the objectionable subject matter in this rejection has been corrected, and it is therefore believed that this rejection does not apply to amended Claim 1. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claims 1-10 and 13 under 35 U.S.C. 103(a) as being unpatentable over EP 1133985 (EP '985).

In the rejection, the examiner concludes that the weight percent of the polyvinyl alcohol disclosed in EP '985 corresponds to the weight percent for the nonionic synthetic polymer. It

also appears that the examiner has concluded that the nonionic synthetic polymer component is the same as the polyhydric alcohol component. However, it is respectfully submitted that it is clear from the specification that these two components are mutually exclusive. In any event, in order to clarify the relationship between the nonionic synthetic polymer and the polyhydric alcohol, Claim 1 has been rewritten to set forth with specificity the species of nonionic synthetic polymers and the species of polyhydric alcohols, namely polyvinyl pyrrolidone and polyvinyl alcohol.

With this clarification in Claim 1 as now rewritten, it is believed that the claims now in the application clearly and unequivocally patentably distinguish from the disclosure of EP '985 for a number of reasons. First, Claim 1 now recites the weight percent of the ionic synthetic polymers (A), the nonionic synthetic polymers (B), the naturally-occurring polymers (C), and the polyhydric alcohols. Second, with these weight percents, as well as the Markush groups identifying the species of nonionic synthetic polymers and the species of polyhydric alcohols, it is clear that EP '985 does not disclose the adhesive gel composition now called for in the claims herein. Third, the drug component has been defined as a drug which forms anions in the adhesive gel composition for iontophoretic formulations, a further distinguishing characteristic from EP '985.

In view of the amendments to base claim 1 made herein, as well as the comments present above concerning the deficiencies of the EP '985 with respect to the now claimed combination, it is strongly urged that EP '985 now fails to render unpatentable the amended claims called for herein. Thus, it is respectfully submitted that the examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claims 1-13 under 35 U.S.C. 103(a) as being unpatentable over EP 1133985 (EP '985) in view of Nowicki.

The deficiencies of the examiner's primary reference of EP '985 are discussed above.

It is respectfully urged that the examiner's secondary reference of Nowicki while disclosing the administration of corticosteroids, such as dexamethasone sodium phosphate, nonetheless fails to cure the deficiencies of the examiner's primary reference. Specifically, it is strongly urged that Nowicki nowhere discloses an adhesive gel composition for iontophoretic formulations as now called for in the claims herein, nor a drug that forms anions therein. Thus, it is believed that, although dexamethasone sodium phosphate is disclosed, it would not be obvious to one or ordinary skill to include a related drug in an adhesive gel composition.

In view of the deficiencies of Nowicki, as well as the reasoning stated above, it is respectfully submitted that the examiner would be justified in no longer maintaining the rejection. Withdrawal of the rejection is accordingly respectfully requested.

Reconsideration is respectfully requested of the rejection of Claims 1-10, 13, and 14 under 35 U.S.C. 103(a) as being unpatentable over EP '985 in view of US 5682726 ('726).

The deficiencies of the examiner's primary reference of EP '985 are discussed above.

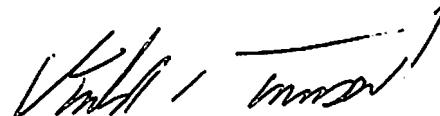
In an attempt to cure the deficiencies of the primary reference of EP '985, the examiner now relies upon the secondary reference of Green, et al. ('726).

It is respectfully urged that the examiner's reliance upon the '726 reference is misplaced because this reference does not perform the same function as the present application. In particular, in the '726 reference of Green, et al., a method is disclosed for forming an iontophoretic patch involving forming a laminate having a chamber between a first and second laminate, and inserting an inert gas into said chamber.

In contrast, in the present invention, oxygen dissolved in the gel is positively removed by replacement with nitrogen and/or vacuum kneading at the time ingredients are added and kneaded. There is no disclosure of injecting an inert gas into the patch. Instead, the oxygen is removed from the gel as it is being mixed. It is respectfully urged that these two methods are entirely patentably distinct. For this reason, it is respectfully urged that the examiner would be justified in no longer maintaining this rejection. Withdrawal of the rejection is accordingly respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance, and early action and allowance thereof is accordingly respectfully requested. In the event there is any reason why the application cannot be allowed at the present time, it is respectfully requested that the Examiner contact the undersigned at the number listed below to resolve any problems.

Respectfully submitted,



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